

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

YUYAMA MANUFACTURING CO., LTD.,
Plaintiff,
v.
JVM CO., LTD,
Defendant,

FILED: MAY 02, 2008

08CV2523 TC

JUDGE KENNELLY

MAGISTRATE JUDGE COLE

Case No. _____

MOTION TO ENFORCE SUBPOENAS

Defendant, JVM Co., Ltd. (JVM”) by and through its attorneys move this Honorable Court for an order enforcing certain subpoenas issued and served on two non-parties: AutoMed Technologies, Inc. (“AutoMed”) and Duane Chudy (“Chudy”). In support of this motion, JVM states as follows:

1. This miscellaneous action is related to a patent infringement action now pending in the U.S. District Court of the District of Maryland case number 06 cv 2536.
2. On May 23, 2007, JVM issued a subpoena and served it on AutoMed. AutoMed is a non-party to the patent case. AutoMed's principle place of business is in Vernon Hills, Illinois, which is within this district. The May 23, 2007, subpoena required AutoMed to produce certain documents for copying and inspection.
3. On March 26, 2008, JVM issued a subpoena and served it on AutoMed. The March 26, 2008, subpoena required AutoMed to produce a witness for a deposition. The deposition was to take place in Chicago, Illinois.

4. On April 3, 2008, JVM issued a subpoena and served it on Duane Chudy. Mr. Chudy is a non-party to the patent case. The April 3, 2008, subpoena required Mr. Chudy to appear for a deposition. The deposition was to take place in Chicago, Illinois. Mr. Chudy resides in Lincolnshire, Illinois, which is within this district.
5. Neither AutoMed nor Mr. Chudy complied with the subpoenas served on them. Pursuant to Local Rule 37.2, counsel for JVM met and conferred with counsel for AutoMed and counsel for Mr. Chudy. While some of the issues between the parties have been resolved, after consultation and good faith efforts to resolve the remaining differences, JVM, AutoMed and Mr. Chudy have been unable to reach an accord.

WHEREFORE, for the reasons stated herein and in JVM's Memorandum in Support of Its Motion to Enforce Subpoenas, JVM moves this Honorable Court for an order compelling AutoMed and Mr. Chudy to comply with the subpoenas served upon them.

Respectfully submitted,

JVM CO., LTD

s/ Ronald Austin, Jr.
One of Its Attorneys

Ronald Austin, Jr.
BROTHERS & THOMPSON, P.C.
100 West Monroe Street, Suite 1700
Chicago, Illinois 60603
P: (312) 372-2909
F: (312) 704-6693
ra2law@cs.com